

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

FRANK TANNER,

Plaintiff,

v.

Civil Action File No. _____

KEITH CAREW, KLLM
TRANSPORT SERVICES, LLC.,
TRANSPORT RISK SOLUTIONS
RISK RETENTION GROUP, INC.,
ABC CORPORATIONS 1-99

Defendants.

NOTICE OF REMOVAL

COME NOW, Defendants Keith Carew, KLLM Transport Services, LLC, and Transport Risk Solutions Risk Retention Group, Inc. (collectively “Defendants”), named defendants in the above-styled action, and file this Notice of Removal, respectfully showing this Court the following facts:

1.

On January 30, 2022 Plaintiff Frank Tanner (“Plaintiff”) filed suit against the above-named defendants in the State Court of Fulton County, State of Georgia. This suit is styled as above and numbered Civil Action File No. 23EV000660. (See generally Plaintiff’s Complaint, attached hereto as Exhibit “A”).

2.

This Notice of Removal is being filed pursuant to the requirements of 28 U.S.C. § 1446(2)(A) and is being filed within thirty (30) days after receipt of service of the Complaint pursuant to 28 U.S.C. § 1446(2)(B).

3.

According to information and belief, Plaintiff is currently, and was at the time suit was filed in this case, a resident and citizen of the State of Georgia (See Plaintiff's Complaint ¶ 1).

4.

Defendant Keith Carew is currently, and was at the time suit was filed in this case, a resident and citizen of the State of Tennessee. (See Plaintiff's Complaint ¶ 2).

5.

Defendant KLLM Transport Risk Services LLC is a foreign corporation existing under the laws of the State of Mississippi. (See Plaintiff's Complaint ¶ 3).

6.

Thus, complete diversity exists between Plaintiff and every named defendant. 28 U.S.C. § 1332(a)(1); *Lincoln Prop. Co. v. Roche*, 546 U.S. 81, 89 (2005).

9.

Plaintiff's Complaint states that "Plaintiff Frank Tanner has incurred significant medical expenses which are continuing in nature that currently exceed \$38,007.70..." (See Plaintiff's Complaint ¶ 22).

10.

On February 26, 2023, Plaintiff's counsel told Defendants' counsel that the amount in controversy exceeded \$75,000.00.

11.

Therefore, as shown above, the aforementioned civil action is a civil action of which this Court has original jurisdiction under the provisions of Title 28 of the United States Code § 1332 and, accordingly, is one which may be removed to this Court by Defendants pursuant to the provisions of Title 28 of the United States Code § 1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 and is between citizens of different states

12.

The Defendants have attached hereto a copy of the process, pleadings, and/or order served upon them in this case, such copy being marked as "Exhibit B."

WHEREFORE, Defendants pray the case be removed to the United States District Court for the Northern District of Georgia, Atlanta Division.

Respectfully submitted this 3rd day of March 2023.

By:

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Risk Retention Group, Inc.*

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Defendants.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **Notice of Removal** upon all parties to this matter by filing same with the Clerk of Court using the CM/ECF (Pacer) system and via e-mail to counsel of record and parties as follows:

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This 3rd day of March 2023.

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